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Attorney Docket No. 1095R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Della Penna, et al.

Date: August 1, 2001

Serial No.: 09/560,761

Group Art Unit: 1655

Filed April 28, 2000

Examiner: Juliet C. Einsmann

For: "PHYTYL/PRENYLTRANSFERASE NUCLEIC ACIDS, POLYPEPTIDES
AND USES THEREOF"

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith is an Election Made in Response to Restriction Requirement Mailed July 3, 2001, and a Preliminary Amendment in the above-identified application.

Fee Calculation for Amended Claims

The fee is calculated as shown below:

	Col 1		Col 2	Col 3	Other than a small entity	
	Claims Remaining		Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
Total	17	Minus	30	= 0	x 18 =	\$0.00
Indep	3	Minus	5	= 0	x 80 =	0.00
					+ 270 =	
<input type="checkbox"/> First presentation of Multiple Dependent Claim					Total	\$0.00

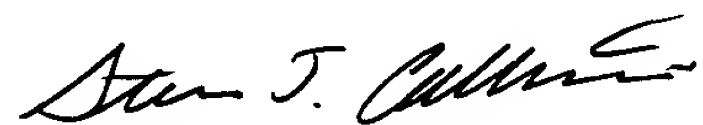
Serial No.: 09/560,761
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The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ No additional fee is required for the amendment(s).
- ☐ Charge \$_____ to Deposit Account No. 16-1852. Two copies of this form are enclosed.

Please charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. 16-1852. Also, should the Patent and Trademark Office determine that the fee calculated in the above extension petition is not deemed sufficient to have this response considered as being timely filed, this constitutes a petition for extension of time for the minimum period to effect timely filing, and the Commissioner is authorized to debit any necessary fee to said deposit account.

Respectfully submitted,



Steven J. Callistein
Attorney for Applicants
Registration No. 43,525

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Washington, D.C. 20231

PRELIMINARY AMENDMENT

Madam:

Before examination of the above-referenced application, please amend the
application as follows:

IN THE CLAIMS:

Please add the following new claims:

Sub B2

31. (New) The method of claim 22, wherein the phytyl/prenyltransferase
polynucleotide comprises a member selected from the group consisting of:

(a) a polynucleotide having at least 70% sequence identity to the entire
coding sequence of SEQ. ID Nos.: 1, 3, 9, 11, 13, 15, 17, 19, 21, 23, 25,
27 or 29, wherein the % sequence identity is determined by GAP using
default parameters, and

(b) a polynucleotide complimentary to a polynucleotide of (a).

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